REMARKS

Status of the Claims

Claims 1–27 remain pending in the application and Claim 1 having been amended to clarify that an available property is an available property for the electronic document and Claims 2 and 15 having been amended to correct grammatical errors.

Claims Rejected under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 1-27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,559,867 (Kotick et al., hereinafter referred to as "Kotick") in view of U.S. Patent No. 6,469,714 (Buxton et al., hereinafter referred to as "Buxton"). Applicants respectfully disagree with this rejection for the reasons presented below.

In the interest of reducing the complexity of the issues for the Examiner to consider in this response, the following discussion focuses on independent Claims 1, 14, and 27. The patentability of each remaining dependent claim is not necessarily separately addressed in detail. However, applicants' decision not to discuss the differences between the cited art and each dependent claim should not be considered as an admission that applicants concur with the Examiner's conclusion that these dependent claims are not patentable over the disclosure in the cited references. Similarly, applicants' decision not to discuss differences between the prior art and every claim element, or every comment made by the Examiner, should not be considered as an admission that applicants concur with the Examiner's interpretation and assertions regarding those claims. Indeed, applicants believe that all of the dependent claims patentably distinguish over the references cited. However, a specific traverse of the rejection of each dependent claim is not required, since dependent claims are patentable for at least the same reasons as the independent claims from which the dependent claims ultimately depend.

Patentability of Independent Claim 1

Significant differences exist between the recitation of independent Claim 1 and Kotick because Kotick does NOT teach or suggest creating a customized palette for the user interface so that the palette comprises a control only for an available property *for the electronic document*, and Buxton also does not provide any teaching or suggestion of this portion of applicants' claim recitation.

The Examiner asserts that Kotick teaches creating a customized palette for the user interface so that the palette comprises a control for an available property and in support of his assertion, the Examiner cites column 5, lines 15-30, a portion of which is reproduced below:

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600 - 108th Avenue N.E., Suite 507
Bellevue, Washington 98004
Telephone: (425) 688-8816 Fax: (425) 646-6314

> This selecting and copying is accomplished by clicking on the toolbar 50 icon 53 or by using a dropdown menu. This brings up another toolbar 70 (FIG. 3) that contains a plurality of icons 71-81, each representing one of the training modules available on the instructor's computer 30. In the exemplary embodiment of a CIC simulation, such modules may comprise a tactical display system (TDS) 71, TDS/radar 72, Aegis 73, sonar geographical situation (GEOSIT) 74, sonobuoy GEOSIT 75, towed array communication (TA GRAM) 76, sonobuoy GRAM 77, electronic warfare (EW) 78, antisurface warfare (ASUW) 79, communications 80, and DRT 81. (Emphasis added, Kotick, column 5, lines 17-29.)

The Examiner has not indicated which portion of this citation he believes teaches applicants' recited claim step, but applicants note in the underlined portion above, that Kotick teaches representing one of the training modules *available* on the instructor's computer 30. If the Examiner believes that the *available* training module displayed on toolbar 70 is equivalent to applicants' recitation of "a palette comprising a control only for an available property," the Examiner should note that the property recited in Claim 1 is a property "for an electronic document." This distinction is now specifically recited in applicants' claim, as amended. Thus, to meet the language of applicants' claim, any property that is available must be an available property *for the electronic document*. In further contrast, Kotick does NOT teach or suggest an electronic document, but instead teaches a "virtual space," which is not equivalent to an electronic document. Kotick teaches that "software 45 is adapted to create and display on the instructor's screen 32 *at least one virtual space* containing at least some of the workstations" (Kotick, column 4, lines 33-35). But since a virtual space is NOT equivalent to an electronic document, applicants are hard pressed to understand why Kotick is even pertinent to their claims.

In addition, as noted in applicants' Office Action response dated July 19, 2006, on page 10, lines 8-10, Buxton does NOT teach or suggest creating a customized palette for the user interface so that the palette comprises a control only for an available property for the electronic document. Buxton is instead directed towards a method of treating unavailable action items.

Accordingly, the rejection of independent Claim 1 under 35 U.S.C. § 103(a) over Kotick in view of Buxton should be withdrawn because neither cited reference teaches or suggests all of the recited claim elements. Because dependent claims inherently include all of the elements of the independent claims from which the dependent claims ultimately depend, and because Kotick in view of Buxton does not disclose or suggest all of the elements of independent Claim 1, the rejection of dependent Claims 2-13

LAW OFFICES OF RONALD M. ANDERSON
600 - 108th Avenue N.E., Suite 507
Bellevue, Washington 98004
Telephone: (425) 688-8816 Fax: (425) 646-6314

under 35 U.S.C. § 103(a) over Kotick in view of Buxton should be withdrawn, for at least the same reasons as the rejection of Claim 1.

Patentability of Independent Claim 14

Significant differences also exist between the recitation of independent Claim 14 and the cited art because the cited art does not teach that the palette and an activated associated content of the palette do not obscure any portion of the viewing content area occupied by the electronic document *regardless of whether the electronic document occupies all portions of the viewing content area* as recited in the last subparagraph related to functionality of the processing unit.

The Examiner has asserted that Figure 3A, items 300 and 320 of Buxton teach this recitation. However, please note that in FIGURE 3A there is no activated associated content of a palette. Furthermore, FIGURE 3B of Buxton shows that "Selection of a Main Menu item 326 results in a Pop-Up Menu of Quick-pick items 328" (Buxton, column 6, lines 64-65). Similarly, FIGURE 3C of Buxton shows that "Quick-pick items 328 appear in a Pop-Up palette 330 of choices from Action Bar 322" (Buxton, column 6, lines 66-67). If the Examiner believes that the Pop-Up Menu and Pop-Up palette are equivalent to applicants' activated associated content and that the memo is equivalent to applicants' electronic document, please note that the Pop-Up Menu and Pop-Up palette obscure portions of the viewing content area occupied by the memos, regardless of whether the memos occupy all portions of the viewing content area. Therefore, neither the Pop-Up-Menu nor the Pop-Up palette meet the requirements for the palette and activated associated content of the palette as recited in Claim 14.

In addition, for the reasons given above in the traversal of the rejection of Claim 1, Kotick also does not teach this step, because Kotick does not even teach or suggest any equivalent to applicants' "electronic document."

Accordingly, the rejection of independent Claim 14 under 35 U.S.C. § 103(a) over Kotick in view of Buxton should be withdrawn. Because dependent claims inherently include all of the elements of the independent claims from which the dependent claims ultimately depend, and because Kotick in view of Buxton does not disclose or suggest all of the elements of independent Claim 14, the rejection of dependent Claims 15-26 under 35 U.S.C. § 103(a) over Kotick in view of Buxton should be withdrawn for at least the same reasons as the rejection of Claim 14.

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600 - 108th Avenue N.E., Suite 507
Bellevue, Washington 98004
Telephone: (425) 688-8816 Fax: (425) 646-6314

Patentability of Independent Claim 27

Independent Claim 27 is directed toward a computer system for providing a selection of formatting properties for an electronic document associated with an application program having a user interface. Significant differences exist between the recitation of independent Claim 27 and the cited art because the cited art does not teach that "the modified palette and an activated associated content of the modified palette do not obscure any portion of the viewing content area occupied by the electronic document *regardless of whether the electronic document occupies all portions of the viewing content area*" as recited in the last subparagraph related to functionality of the processing unit. The Examiner has rejected Claim 27 under the same rationale as Claim 14. Therefore, for the same reasons presented above in traversing the rejection of independent Claim 14, independent Claim 27 also distinguishes over the cited art. Kotick does not cure this deficiency, since Kotick does not even teach an electronic document. Accordingly, the rejection of independent Claim 27 under 35 U.S.C. § 103(a) over Kotick in view of Buxton should be withdrawn.

In view of the Remarks set forth above, it will be apparent that the claims remaining in this application define a novel and non-obvious invention, and that the application is in condition for allowance and should be passed to issue without further delay. Should any further questions remain, the Examiner is invited to telephone applicants' attorney at the number listed below.

Respectfully submitted,

/sabrina k. macintyre/
Sabrina K. MacIntyre
Registration No. 56,912

SKM/RMA:elm

LAW OFFICES OF RONALD M. ANDERSON
600 - 108th Avenue N.E., Suite 507
Bellevue, Washington 98004
Telephone: (425) 688-8816 Fax: (425) 646-6314